

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LEONARD ZAWICKI,
Plaintiff

v.

MERWIN ARMSTRONG,
JOEL THOMAS BARNEY,
individually and d/b/a
BARNEY TRUCKING and
BARNEY TRUCKING,
Defendants

: No. 3:16cv453
:
: (Judge Munley)

:
:
:
:
:
:
:
:

ORDER

AND NOW, to wit, this 8th day of December 2017, it is hereby **ORDERED**
as follows:

1) Plaintiff's motion in limine to preclude evidence regarding workers' compensation and Dr. Robert Grob matters (Doc. 26) is hereby **DENIED**;

2) Plaintiff's motion in limine to preclude evidence that his pre-September 2, 2016 medical treatment and bills are not causally related to the crash (Doc. 28) is **DENIED**;

3) Plaintiff's motion in limine to preclude evidence of his prior car accidents (Doc. 30) is **GRANTED**. Evidence of plaintiff's prior car accidents shall not be admissible at trial;

4) Plaintiff's motion in limine to preclude evidence of Defendant Armstrong's medical examination reports of September 23, 2011; September 11, 2012 ; and September 11, 2013 (Doc. 32) is hereby **DENIED**;

5) Defendants' motion in limine to preclude plaintiff from introducing evidence of any subsequent accidents of Defendant Merwin Armstrong (Doc. 34) is ;

6) Defendants' motion in limine to preclude and limit the testimony regarding cellular phone usage (Doc. 35) is **DENIED**;

7) Defendants' motion in limine to admit medical examination reports and preclude testimony of plaintiff's expert Kerry Nelson as to Defendant Armstrong being not physically qualified to drive a commercial motor vehicle (Doc. 36) is **DENIED**;

8) Defendants' motion in limine to limit the testimony of plaintiff's expert Michael Jaloweic, D.O., and to preclude reference to plaintiff's ability to return to work (Doc. 37) is **DENIED**;

9) Defendants' motion in limine to preclude plaintiff's recovery of punitive damages (Doc. 38) is **DENIED**;

10) Defendants' motion in limine to preclude plaintiff from introducing evidence of Defendant Armstrong's post-accident employment status at trial (Doc. 39) is ;

11) Defendants' motion in limine to preclude plaintiff from introducing the April 4, 2017 letter from Stephen Dutka at trial (Doc. 40) is **GRANTED** as unopposed; and

12) Defendants' motion to bifurcate trial (Doc. 57) is hereby **DENIED**.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court